

REMARKS

Claims 1-25 were examined and stand rejected in the Office Action. Claim 20 is objected to. In response, Claim 20 is amended, no claims were added, and no claims are cancelled. Applicant requests reconsideration of the application in view of the following remarks.

I. Objection to the Information Disclosure Statement

The Examiner has required references cited in prior application 09/895,133 and submitted with the filing of the present application to be re-submitted on form PTO/SB08. A form PTO/SB08 listing the references is attached hereto.

II. Objection to the Specification

The disclosure is objected to because of informalities. In response, the specification is amended to overcome the informalities indicated by the Examiner. Reconsideration is requested.

III. Objection to the Claims

Claim 20 is objected to because of informalities. In response, Claim 20 is amended. Reconsideration is requested.

IV. Double Patenting

Claims 1-7 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-7 of U.S. Patent No. 6,711,216. In addition, Claims 8-14 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 8-14 of U.S. Patent No. 6,711,216. Claims 15-19 are also rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 8, 10, 12-13, and 15 of U.S. Patent No. 6,711,216. Finally, Claims 20-25 are also rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 16-20 of U.S. Patent No. 6,711,216.

In response, Applicant submits a terminal disclaimer to overcome the nonstatutory obviousness-type double patenting rejection of Claims 1-7, 8-14, 15-19, and 20-25.

V. Allowable Subject Matter

Claims 1-14, 15-19, and 20-25 would be allowable if accompanied with a Terminal Disclaimer to overcome the Double Patenting rejections cited above. Please allow these claims in view of the terminal disclaimer submitted herewith.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1-25, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: July 16, 2008

By: _____


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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.


Alexandra Y. Caluen July 16, 2008